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6569 U.S. PTO  
09/05/03

PATENT  
2018721-7031422001

10/655920  
U.S. PTO  
09/05/03

To:

M/S: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NEW APPLICATION TRANSMITTAL - UTILITY**

Sir:

Transmitted herewith for filing is a utility patent application:

**Inventor(s): Hassan Mostafavi**

**Title: SYSTEMS AND METHODS FOR GATING MEDICAL PROCEDURES**

**PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):**

- 39 Page(s) of Written Description  
13 Page(s) Claims  
1 Page(s) Abstract  
11 Sheets of Drawings  Informal  Formal

**1. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:**

- Declaration  
 Power of Attorney  Separate  Combined with Declaration  
 Assignment to Varian Medical Systems Technologies, Inc. and assignment cover sheet  
 Certified Copy of Priority Document No(s): \_\_\_\_\_  
 Information Disclosure Statement w/PTO 1449  Copy of Citations  
 Preliminary Amendment

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**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to M/S: New Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 348161212 US  
Express Mail Label No.

September 5, 2003

Date of Deposit

CAROLYN TOBIAS  
Name of Person Mailing Paper  
Carolyn Tobias  
Signature of Person Mailing Paper

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- Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
 Return Postcard  
 Other: \_\_\_\_\_

**2. PRIORITY**

- Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. § 119.

**3. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

- Applicant claims small entity status pursuant to 37 CFR § 1.27

<b>BASIC FILING FEE:</b>						
Total Claims	63	-	20	=	43	x \$18.00      \$750.00
Independent Claims	9	-	3	=	6	x \$84.00      \$504.00
Multiple Dependent Claims	\$280	(if applicable)			<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						<b>\$2,028.00</b>
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input type="checkbox"/>
Misc. Filing Fees (Recordation of Assignment -- \$40)						<b>\$40.00</b>
<b>TOTAL FEES DUE HEREWITH</b>						<b>\$2,068.00</b>

**4. METHOD OF PAYMENT OF FEES**

- A check in the amount of \_\_\_\_\_.  
 Charge Bingham McCutchen's Deposit Account No. **50-2518** in the amount of **\$2,068.00**.  
 This application is being filed without fee or Declaration under 37 CFR § 1.53.

**5. AUTHORIZATION TO CHARGE FEES**

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Bingham McCutchen's Deposit Account No. **50-2518** for the following:

- 37 CFR § 1.16 – (Filing fees and excess claims fees)  
 37 CFR § 1.17 – (Any application processing fees)  
 37 CFR § 1.21 – (Assignment recording fees)

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**6. CORRESPONDENCE ADDRESS**

Please send all correspondence to Customer Number 23639:

BINGHAM McCUTCHEN  
Three Embarcadero, Suite 1800  
San Francisco, CA 94111-4067  
(650) 849.4400

Please direct all inquiries to Peter C. Mei, at the above customer number.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: September 5, 2003

By: \_\_\_\_\_

  
Gerald Chan  
Reg. No. 51,541

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>		First Named Inventor	<b>Hassan Mostafavi</b>
Title	<b>SYSTEMS AND METHODS FOR GATING MEDICAL PROCEDURES</b>		
Attorney Docket No.		<b>2018721-7031422001; 03-006US</b>	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 5, 2003

Date

Signature

Gerald Chan, Reg. No. 51,541

Type or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application to be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hours Statement: This collection of information is requested by 37 CFR 1.213(a). This information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.